



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

Honorable H. N. Darst
County Auditor
Fort Ben County
Richmond, Texas

Dear Sir:

Opinion No. O-1945
Re: Authority of commissioners'
court to purchase automobiles
for use of commissioners in
connection with official
business

Your request for an opinion on the following
question has been received by this department:

"Does Section 2 or any part of the
special road law of Fort Bend County,
Texas, exempt Fort Bend County from
Opinions Nos. O-752 and O-996, rendered
by this Department?"

In the opinions herein referred to, this
department held that the commissioners' court in
counties operating under the general road law of
the State of Texas, as set out in Title 44, Volume
7, of Vernon's Civil Statutes, is not empowered or
authorized to buy automobiles, pick-ups, or trucks
for the county to be used by the commissioners in
performance of their duties as county commissioners.

We quote that portion of Section 2 of the
special road law of Fort Bend County applicable to
this question as follows:

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"Said commissioners' court shall have power to purchase such teams, tools and machinery as may be necessary for the working of its roads."

We have carefully examined the special road law for Fort Bend County, from which the above quotation was taken, and can find nothing therein which would exempt said county from the general rule announced in our Opinions Nos. 0-752 and 0-996.

Please do not understand us as passing on the constitutionality of the special road law of your county in this opinion.

Trusting this answers your inquiry, we are

Yours very truly

ATTORNEY GENERAL OF TEXAS

By

Fred C. Chandler
Fred C. Chandler
Assistant

FCC:AW

DEC 25 1939
George A. Mann
ATTORNEY GENERAL OF TEXAS

